

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANGIE MILLER, Plaintiff, v. BLUE CROSS BLUE SHIELD OF MICHIGAN, ET AL., Defendants.	2:21-cv-10687-TGB-CI HON. TERRENCE G. BERG ORDER ADOPTING REPORT AND RECOMMENDATION (ECF NOS. ECF Nos. 68, 69, 16, 51, 20, 26, 39, 55, 56, 58, 70, 77, 40, 84)
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This matter is before the Court on Magistrate Judge Curtis Ivy, Jr.'s July 30, 2021 Report and Recommendation (ECF No. 95) addressing Motions for Default Judgment (ECF Nos. 68, 69), Motions to Strike Answer (ECF Nos. 16, 51), Plaintiff's Remaining Motions to Strike (ECF Nos. 20, 26, 39, 55, 56, 58, 70, 77), and Ex Parte Motion for Leave to File in the Traditional Manner (ECF No. 40), recommending Michigan Department of Health and Human Services' Motion to Set Aside Entry of Default Judgment (ECF No. 84) be **GRANTED**, the entry of default against Defendant Conner Creek be **SET ASIDE** and Motions for Default Judgment (ECF No. 68, 69) be **DENIED AS MOOT**, Plaintiff's various motions to strike (ECF Nos. 16, 20, 26, 39, 51, 55, 56, 58, 70, 77) be **DENIED**, and Plaintiff's Motion for Leave to File in the Traditional Manner (ECF No. 40) be **DENIED AS MOOT**.

The Court has reviewed the Magistrate Judge's Report and Recommendation. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of a report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate's Report and Recommendation of December 28, 2020 as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Ivy's Report and Recommendation of July 30, 2021 is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant Michigan Department of Health and Human Services' Motion to Set Aside Entry of Default Judgment (ECF No. 84) is **GRANTED**.

It is **FURTHER ORDERED** that the entry of default against Defendant Conner Creek be **SET ASIDE** and Motions for Default Judgment (ECF No. 68, 69) be **DENIED AS MOOT**.

It is **FURTHER ORDERED** that Plaintiff's various motions to strike (ECF Nos. 16, 20, 26, 39, 51, 55, 56, 58, 70, 77) be **DENIED**.

It is **FURTHER ORDERED** that Plaintiff's Motion for Leave to File in the Traditional Manner (ECF No. 40) be **DENIED AS MOOT**.

SO ORDERED.

Dated: August 26, 2021

s/Terrence G. Berg

TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE